APPROVED ACTION MINUTES CITY OF WOODLAND PLANNING COMMISSION THURSDAY, JANUARY 3, 2008

VOTING MEMBERS PRESENT: Wurzel; Dote; Murray; Spesert; Barzo;

Gonzalez

VOTING MEMBERS ABSENT: Sanders

STAFF MEMBERS PRESENT: MacNicholl; Hanson; Stillman; Abell-Norris

The meeting was called to order at 7:01 PM.

PUBLIC HEARING:

1. Director's Report:

- a. Planning Commissioners are invited to attend the 2008 Planners Institute and Mini Expo hosted by the League of California Cities in Sacramento, March 26-28. The City has set aside money in the budget for this event. If Commissioners are interested in attending or have additional questions, Commissioners should contact Robert MacNicholl.
- 2. Approval of Minutes: None
- 3. Public Comment: None
- 4. Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

- <u>Commissioner Murray:</u> She has traffic concerns about Road 102. Bus stop location will be hazardous for disabled or visually impaired persons.
- Bruce Pollard, Sr. Civil Engineer: Bus stop will be internal to the mall at Costco.
- Robert MacNicholl, Planning Manager: Bus stop will be located at the south side entrance drive. People will need to cross an access road but it will have a pedestrian path adjacent to Gateway II.
- Commissioner Murray: Will there be a bench?
- Robert MacNicholl: They will have a bench. They will need to meet the bus stop design standards.

PUBLIC COMMENT

• <u>Lucinda Talkington:</u> There is no signal and this is a major turn intersection. They are working on an audible pedestrian signal there at the corner. It will still be too difficult for disabled people, not just visually disabled, to cross. The bus should drive into the mall.

CONTINUED DISCUSSION

- <u>Robert MacNicholl:</u> He stated that he can not speak to their ability to cross the road from the bus stop to the businesses.
- <u>Commissioner Murray:</u> She offered Ms. Talkington suggestions.
- Robert MacNicholl: Yolo County Transit District is providing additional buses to this area that are not currently being served. Ms. Talkington should contact Terry Basset directly. There will be a hearing about routing and scheduling changes at the district.
- <u>Commissioner Murray:</u> Won't there be more businesses going out there (Gateway II)? The bus stop should accommodate all the businesses out there.
- <u>Robert MacNicholl</u>: This stop is central to all the businesses that propose to located out there.
- <u>Commissioner Murray:</u> She wished Ms. Talkington luck and advised her again to contact Terry Bassett.
- 5. Subcommittee Reports: None

PUBLIC HEARING:

6. **Ordonez Tentative Parcel Map No. 4924**. The applicant is requesting approval for a division of land at 219 Freeman Street (APN 005-718-10), dividing an existing 10,670 square foot parcel into two (2) parcels consisting of approximately 5,310 square feet for "Parcel 1" and 5,360 square feet for "Parcel 2" in the Duplex (R-2) zone.

Applicant/Owner: Rosalia Ordonez

Environmental Document: Categorical Exemption

Staff Contact: Paul L. Hanson, AICP, Senior Planner

Recommend Action: Conditional Approval

- <u>Commissioner Barzo:</u> He asked staff to again display the aerial map and confirm that the highlighted area is the parcel in question.
- <u>Commissioner Murray:</u> She asked how you gain access into the parcel.
- Paul Hanson, Senior Planner: He stated that access to this parcel is off Hilda Way.
- <u>Commissioner Gonzalez:</u> She asked about tree replacement. She asked if any trees will be taken down and replaced.

- <u>Paul Hanson:</u> He stated that trees over 60 inches or more would be replaced. Also, Oaks could be determined to be double value.
- <u>Commissioner Wurzel:</u> He said that this project seems straight forward.
- <u>Commissioner Dote:</u> She is OK with this project. She has a problem with the tree replacement plan as you lose stature. She noted that on this parcel, trees are of a substantial size along the fence line and may not need to be taken out.
- <u>Paul Hanson:</u> He said that according to set-backs, these trees could be OK. Also, there is crowding of the trees and they could use pruning.
- Commissioner Dote: She asked who decides which trees are taken out.
- Paul Hanson: He said that they replace trees impacted by development.
- Commissioner Murray: No comments.
- <u>Commissioner Barzo:</u> He likes this project. It is straight forward.
- Commissioner Gonzalez: No comments.
- <u>Commissioner Spesert:</u> No comments.

It was moved by Commissioner Wurzel, seconded by Commissioner Barzo and unanimously carried that the Planning Commission Approve the Ordonez Tentative Parcel Map #4924 dated June 30, 2007, based on the identified findings of fact and subject to the identified conditions of approval, by taking the following actions:

- 1. Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, Class 15, minor land division.
- 2. Determine that the project, as conditioned, is consistent with the General Plan.
- 3. Determine that the project, as conditioned, is consistent with the Zoning Ordinance.
- 4. Determine that the project, as conditioned, is consistent with the Subdivision Ordinance.
- 5. Approve Tentative Parcel Map #4924 Dated June 30, 2007 dividing APN 005-718-10 into "Parcel 1" and "Parcel 2" as identified by the attached tentative parcel map.
- 7. **Deep Ink Tattoo Studio Conditional Use Permit**. The applicant is requesting approval for a Conditional Use Permit to establish a tattoo and body piercing studio at 804 Main Street in the Downtown Central Business District zone.

Applicant/Owner: Glen McLaughlin / Bich Tran

Environmental Document: Categorical Exemption

Staff Contact: Jimmy Stillman, Associate Planner

Recommend Action: Conditional Approval

- <u>Jimmy Stillman</u>, <u>Associate Planner</u>: There is a correction to the staff report. The address is 806 Main Street and not 804 Main Street. He also distributed attachments to the staff report tonight to the Commissioners. These are letters of support from adjacent businesses.
- <u>Commissioner Wurzel</u>: Condition #26 does not specify the age of children or identify the City ordinance regarding age of children. He stated that the condition should be changed to identify the age of children as this is unclear.
- <u>Jimmy Stillman</u>: The tattooing industry has guidelines that indicate that customers need to show photo ID.
- <u>Commissioner Wurzel</u>: He would like to modify condition #26 to indicate age of 18 as this age used throughout this conditional use permit.
- <u>Commissioner Spesert</u>: He asked if there is an ordinance regarding signs stating the word "tattoo".
- <u>Jimmy Stillman</u>: He stated that window signs do not require a permit but do need approval. Window signs are considered internal signage. A standard sign requires a building permit with a review of elevations by Planning. Internal and window signs just require the approval of the Planning Department.
- <u>Commissioner Spesert</u>: He asked about A-frame signage.
- <u>Jimmy Stillman</u>: He said that in 2003 an A-frame sign was allowed but with no "tattoo" wording. A condition of this use permit is that there will be no A-frame signs allowed.
- <u>Commissioner Barzo</u>: He informed the Commission that they can approve a Conditional Use Permit (CUP) with timelines, like 1 year.
- Jimmy Stillman: He confirmed that a CUP can specify a timeline.
- <u>Commissioner Barzo</u>: He stated that a timeline of a year would allow an opportunity for the community to give input about use of the word "tattoo".
- <u>Jimmy Stillman</u>: He stated that the applicant is aware that this is a sensitive issue. He again confirmed that the CUP can have a time limit and this is an option for the Commissioners. He said that he is sure that the applicant would be willing to remove the word "tattoo" from the window sign if complaints were received.
- <u>Commissioner Barzo</u>: He indicated that the last tattoo applicant took advantage. They placed a truck with signage outside their location and used A-frames.
- <u>Jimmy Stillman</u>: This CUP includes no secondary signage requirements. They can include in the CUP that no truck signage allowed. He recommends that if the Commission sets a timeline they re-review this CUP after 1 year rather than just require removal of the word "tattoo" from the window signs.
- <u>Commissioner Barzo</u>: He asked if there is any additional cost to the applicant if they re-review this later.

- <u>Jimmy Stillman</u>: He said that staff will just add this item to the Planning Commission calendar after 1 year.
- <u>Commissioner Barzo</u>: He asked for confirmation that there is no additional cost to the applicant.
- Robert MacNicholl: He confirmed that there is no additional cost. He also stated that if the applicant does not comply with the CUP then the Planning Commission can take revocation action, notice them and give an opportunity for them to correct.
- <u>Commissioner Barzo</u>: He recommended to the Commission a 1 year condition to allow comments from the community and then a re-review.

PUBLIC COMMENT

- Glen McLaughlin, Applicant: He stated that he has cleaned up the previous business and knows that the word "tattoo" is sensitive.
- <u>Commissioner Dote:</u> She asked if the applicant is gaining square footage by moving to this new location.
- Glen McLaughlin: He said that he is losing square footage but is gaining visibility.
- <u>Commissioner Dote:</u> She asked if the applicant is opposed to using the words "body art".
- Glen McLaughlin: He stated that he is currently using "body art".
- <u>Commissioner Dote:</u> She asked what percentage of the applicant's business is from Woodland.
- Glen McLaughlin: He stated that about 75% of his business is from Woodland. He also receives business from as far as Sacramento.
- Commissioner Murray: She asked about the wording on the awning.
- Glen McLaughlin: He said that only "Deep Ink" will be on the awning. He said that the window sign will include "tattoo and piercing" and only 20% of the window is allowed for this signage. He is planning to use a historical style font.
- <u>Commissioner Barzo</u>: He asked the applicant if he has a problem with the wording "body art".
- Glen McLaughlin: He said that he wants recognition for the work they are doing and that some people do not know what "body art" is.
- <u>Commissioner Barzo</u>: He said that he appreciates the applicant doing business in Woodland and wants to help him out. He thinks that the word "tattooing" is more intimidating and could be offensive.
- Glen McLaughlin: He thinks that Woodland is ready for it and that it is a growing industry. He also likes the idea of a 1 year review.
- <u>Commissioner Barzo</u>: He asked the applicant if he will not back down on the word "tattoo".
- <u>Lucinda Talkington, Citizen</u>: She said that she is a Senior Citizen and got a tattoo at the age of 65. She asked the Commission to please consider the applicants request for at least 1 year.

- <u>Commissioner Barzo</u>: He said that he could go either way but wanted the other Commissioners to know that they can set a timeline because the last time it went very bad. He said that they can set a year and the applicant agreed to it also here tonight.
- <u>Commissioner Murray</u>: She said that this is a business and she will give the same courtesy by not giving a 1 year limitation as she does not think it is necessary.
- <u>Commissioner Dote</u>: She asked if there have been any negative responses yet.
- <u>Jimmy Stillman</u>: He said that this has been noticed and there have been none.
- <u>Commissioner Dote</u>: She said that if there is no opposition, then should not pull out one particular kind of business. She said that the applicant knows best how to market his business and that she would much rather that tattoos be done by professionals.
- <u>Commissioner Wurzel</u>: He met with the applicant last night. He visited the applicants shop and it was very clean. He also said that it is not right to add additional conditions and that applicant should not have to hide. If there is a problem, then Commissioners should find a solution. If no problem, let it stand. He does not like deal making as it is not fair to the public. He will move to approve the CUP as it stands.
- <u>Commissioner Spesert</u>: He said that this is an opportunity to strengthen businesses in Woodland. Similar to Commissioner Barzo, he remembers the problems with the last tattoo applicant. He said that if the applicant does not comply with the CUP, then the Commissioners need to take action. He said that commitments should be live by all businesses.
- <u>Commissioner Dote</u>: She said that this is really an issue of accountability.
- <u>Commissioner Spesert</u>: He said that it is up to staff and the Planning Commission to keep close tabs.

It was moved by Commissioner Wurzel and seconded by Commissioner Dote to approve the conditional use permit for Deep Ink Tattoo and Piercing Studio based on the identified findings of fact and subject to the identified conditions of approval including a correction to condition #26 to indicate the specific age of 18, by taking the following actions:

- 1. Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, a class one, non-expansion of an existing use. §15301 of the Public Resources Code.
- 2. Determine that the project, as conditioned, is consistent with the General Plan.
- 3. Determine that the project, as conditioned, is consistent with the Zoning Ordinance.
- 4. Determine that the project, as conditioned, is consistent with the Downtown Specific Plan.

5. Approve the Conditional Use Permit allowing a tattoo and body piercing establishment in the Central Business district zone.

AYES: Wurzel, Dote, Murray, Spesert, and Gonzalez

NOES: Barzo ABSENT: Sanders

- <u>Commissioner Barzo</u>: He wished the applicant success in his business.
- 8. Proposed Ordinance Revisions Regarding Downtown Parking, Establishing District Boundaries and In-Lieu of Parking Fee. Staff recommends that the Planning Commission consider the proposed amendments to parking standards, the proposed in-lieu fee and parking district boundaries and recommend City Council approval.

Applicant/Owner: City of Woodland

Environmental Document: Initial Study/Negative Declaration
Staff Contact: Cindy Abell-Norris, Senior Planner
Recommend Action: Recommend City Council Approval

- <u>Commissioner Wurzel</u>: He asked why no study was done to justify the amount of the in-lieu fees.
- <u>Cindy Abell-Norris</u>: She advised that the City Attorney reviewed and no additional study was needed as an in-lieu fee analysis was done at an earlier time.
- <u>Commissioner Wurzel</u>: He asked if there is an ordinance requiring a study.
- <u>Robert MacNicholl</u>: He said that Staff looked at similar communities to City of Woodland.
- <u>Commissioner Wurzel</u>: He was surprised to hear that no law indicates a need for it.
- <u>Cindy Abell-Norris</u>: She said that staff looked at City of Ventura and evaluated their in-lieu fees.
- <u>Commissioner Dote</u>: She asked if we are returning to the Downtown Specific Plan and this Parking Ordinance would be an attachment to the plan.
- <u>Robert MacNicholl</u>: He confirmed that the Downtown Specific Plan is coming and this ordinance will be folded in.
- <u>Commissioner Dote</u>: She asked about the completing of the General Plan and when it was last done.
- Cindy Abell-Norris: She stated that the General Plan last done in 2002.

- <u>Commissioner Dote</u>: She said that she would like to see an EIR (Environmental Impact Report) done on the General Plan before any new businesses added.
- <u>Commissioner Wurzel</u>: He stated that the General Plan needs to be completed by the end of 2010.
- <u>Commissioner Spesert</u>: He asked staff for clarification about the motion that Planning Commission needs to consider tonight.
- <u>Cindy Abell-Norris</u>: She confirmed that request before Commission is for a motion for approval.
- <u>Commissioner Gonzalez</u>: She said that she is bothered by in-lieu fees but there needs to be a solution. She asked for clarification between remodeling historical locations and new businesses created.
- <u>Cindy Abell-Norris</u>: She said that remodels include additions and enlargement like Capital Hotel that changed a floor to residential use beyond 10% needs to provide parking accommodations. If an entirely new building is built they must meet the parking requirements. For Example, if City Center Lofts need more parking then they can pay in-lieu fees.
- <u>Commissioner Gonzalez</u>: She said that the problem is that new buildings should be self-sufficient.
- <u>Robert MacNicholl</u>: He said that parking provisions are to make it more feasible and make it a "walkable" downtown so that people can park their car and then walk to multiple stops.
- <u>Cindy Abell</u>-Norris: She stated that the downtown is also looking for density of activity. Parking is considered dead space and should be located off main downtown streets.
- <u>Commissioner Gonzalez</u>: She wanted to know what the in-lieu fees are to pay for.
- <u>Cindy Abell</u>-Norris: She said that multiple locations have been identified for parking. One location is included in the Court project and then one parking structure to the West.
- <u>Commissioner Wurzel</u>: He said that this is why he is surprised that no study done regarding the cost of in-lieu fees. He discussed guidelines about capital improvement plans that are addressed in these types of studies.
- <u>Cindy Abell-Norris</u>: She said that she will check again with the City Attorney on these items.
- <u>Robert MacNicholl</u>: He said that they examined a number of other similar cities that have established fees, and then adjusted them for the City.
- <u>Commissioner Gonzalez</u>: She identified that \$5,000 is not the same value in 10 years as it is today. Therefore, we need to make in-lieu fees meaningful.
- <u>Robert MacNicholl</u>: He assured the Commissioners that the comments will be passed along to City Council.

It was moved by Commissioner Murray, seconded by Commissioner Wurzel and unanimously carried that the Planning Commission recommends approval of the amendments to the parking standards and the proposed in-lieu fee to the City Council.

NEW BUSINESS: None

There being no further business, the meeting was adjourned at 8:22 PM.

Respectfully submitted,

Barry Munowitch, AICP Assistant City Manager